THE HON'BLE MR JUSTICE A.GOPAL REDDY

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W. P. No. 21247/1994

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Dt.2-3-2006

Sri Venkateswara Saw Mill, represented by its Proprietor

G.Rajaiah, S/o Mogiliah, aged about 31 years

R/o Bellampally, Adilabad District. ..Petitioner

V.

1. TheDivisional Forest Officer, Bellampally-Authorised Officer of Government of Andhra Pradesh and another. ..Respondents.

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ORAL ORDER:

The only submission made by the learned counsel for the petitioner that during the pendency of the writ petition, the authorities re-measured the quantity of the timber seized, and filed charge-sheet before the Judicial Magistrate of First Class, Asifabad for the offences punishable under Sections 420 and 406 IPC and the Magistrate acquitted the accused holding that the prosecution failed to prove its case against him beyond all reasonable doubts and represented the writ petition may be disposed of directing the respondents to re-assess the value of the timber for the purpose of paying the compounding fee.

Heard the learned Government Pleader for Forests.

Without going into the merits of the controversy, the writ petition is disposed of directing the authorities to re-assess the value of the timber for the purpose of paying compounding fee as agreed by the petitioner after giving sufficient opportunity within a period of six months from the date of receipt of a copy of the order, and bank guarantee, if any, given by the petitioner will abide by the decision of the authorities.

The writ petition is accordingly disposed of. No costs.

2-3-2006

KMR